IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 470 of 2002

For Approval and Signature:

HON'BLE MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

HITESH BABUBHAI SONI

Versus

STATE OF GUJARAT

Appearance:

1. Special Criminal Application No. 470 of 2002

MR KG VAKHARIA FOR MR RAJESH K KANANI for Petitioner No. 1

MR RC KODEKAR, APP for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE R.P.DHOLAKIA

Date of decision: 14/10/2003

ORAL JUDGEMENT

Heard learned Senior Counsel, Mr.K.G.Vakharia for Mr.Rajesh K.Kanani for the petitioner and Mr.R.C.Kodekar, learned APP for the respondent No.1. Concerned I.O.,

Mr.S.M.Gohil is also personally present. I.O. has made a statement through learned APP that he has been transferred to work as Reader to Commissioner of Police, Surat.

2. It is clear from the record and proceedings that previously name of Sunil Mahendrakumar Jain has been shown as absconding accused. Even after further investigation of the matter, his name has not been shown as accused. It appears from record that no charge-sheet has been filed against him till this date and, therefore, I.O. has given assurance that they will investigate further into the matter under Sec.173(8) Cr.P.C. qua Sunil Mahendrakumar Jain.

3. In view of the above, P.I., DCB, Surat, is hereby directed to investigate further into the matter qua Sunil Mahendrakumar Jain under the supervision of Commissioner of Police, Surat. This petition stands disposed of with the aforesaid direction. Rule is made absolute only to the aforesaid extent.

(R.P.DHOLAKIA,J.)

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